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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,698	01/25/2002	Timothy P. Blair	10014611-1	2041

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EXAMINER

LE, DEBBIE M

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,698

Applicant(s)

BLAIR ET AL

Examiner

DEBBIE M. LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5, 8-19, 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koss (US Patent Application No. 2004/0062213 A1) in view of Snapp et al (US patent application No. 2003/0069693 A1).

As per claim 1, Koss discloses a method for facilitating use of the global positioning system (GPS) the method comprising:

coupling a client device (fig. 2, # 20) to a network (fig. 2, internet) and to a GPS device (the computer's GPS receiver, ¶ 0039, fig. # 60);

using the client device to access a database (fig. 3, # 312, querying a database, fig. 2, # 62) through the network, wherein the client device provides information (HTTP request), the database containing the GPS coordinates that correspond to a plurality of locations (geographical dependent content, ¶ 0032);

obtaining from the database the GPS coordinates (as obtain or create content that is appropriate for the location indicated in the HTTP request, appropriate for users that are located at a particular geographical location within a particular geographical zones, ¶ 0039, ¶ 0032); and

providing the GPS coordinates to the GPS device a (a server respond returns such customized content, ¶ 0037).

Koss does not explicitly teach that wherein the client device provides information corresponding to at least one location in a format that lack GPS coordinates for describing the at least one location; providing GPS coordinates corresponding to the at least one location to the GPS device such that information regarding at lease one of direction and distance between the current location and the at least one is obtained. However, Snapp teaches that 'the client device provides information corresponding to at least one location, other than a current location, in a format that lack GPS coordinates for describing the at least one location' (par. 0049); providing GPS coordinates corresponding to the at least one location to the GPS device such that information regarding at lease one of direction and distance between the current location and the at

least one is obtained (par. 0050, 0057, 0168). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to provide the step of the client device provides information corresponding to at least one location in a format that lack GPS coordinates for describing the at least one location as disclosed, and providing information regarding at least one of direction and distance between the current location and the at least one is obtained as disclosed by Snapp because it would provide convenience to users of Koss's system to determining directions and distances in unfamiliar location, for instant, without known landmarks (i.e., a current location) while traveling to a desired location (i.e., the at least location, other than the current location) (see Snapp, par. 0008).

As per claim 2, Koss teaches wherein providing the GPS coordinates to the GPS device is performed automatically (coordinates are embedded in the HTTP requests automatically, without any intervention by a user, ¶ 0034).

As per claim 3, Koss teaches wherein the network is the Internet (¶ 0020).

As per claim 4, Koss teaches wherein accessing a database comprises the steps of: accessing a predefined web page through the client device, the predefined web page being coupled to the database; and accessing the database through the predefined web page (GPSLocation:46.21. N, 85.30 W has been determined to be appropriated resource "/mymap.asp" from server "mobile.msn.com", ¶ 0035-0037).

As per claim 5, Koss teaches wherein accessing a predefined web page comprises the steps of: browsing to a particular location on the web through the client

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device; receiving in the client device a web page associated with the particular location, the web page including a link to the database; and displaying the web page associated with the particular location on a display associated with the client device (a user selects a hyperlink from hyperlinked web content, ¶ 0039).

Claims 8 and 15 are rejected under the same rationale as independent claim 1 arguments.

Claims 9 and 16 have the same limitation as claim 2; therefore, they are rejected under the same subject matter.

As per claim 10, Koss teaches wherein the GPS device is part of client device (communication through a network, ¶ 0016).

As per claim 11, Koss teaches wherein the GPS device is located remotely from the client device (over the internet, fig. 2)

As per claims 12-14, Koss teaches wherein the client device is a personal computer (PC), a personal digital assistant (PDA), a cellular telephone (¶ 0013, 0017, 0020).

Claims 17-19 have similar limitations as claims 3-5; therefore, they are rejected under the same subject matter.

As per claim 21, Snapp teaches wherein the information corresponding to the at least one location is provided as an address (as data is entered into the geospatial module 14, for instant, a user's preferences with regard to a geographic location as the user travels to a desired location) [par. 0013, 0162-0164].

Claims 22-23 have similar limitation as stated in depend claim 21; therefore, they are rejected by the same subject matter.

Claims 6-7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koss (USP Application No. 2004/0062213 A1) in view of Snapp et al (US patent application No. 2003/0069693 A1) and further in view of Arner et al (USP Application No. 2002/0002599 A1).

As per claim 6, Koss and Snapp do not explicitly teach wherein accessing a database comprises the steps of: accessing an e-mail application through the client device, the e-mail application being coupled to the database; and accessing the database through the e-mail application. However, Arner teaches the step of accessing a database comprises the steps of: accessing an e-mail application through the client device (§ 0139). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to implement the step of accessing a database comprises the steps of: accessing an e-mail application through the client device because the system would provide the only related information which the user asked for to be downloaded and/or displayed to the client device as disclosed by Arner's invention. This would allow users of Koss's system and Snapp's system to assure that the client system will actually be able to execute the downloaded application, as suggested by Arner [see § 0015].

As per claim 7, Arner teaches wherein the step of accessing an e-mail application comprises the steps of: establishing communication between the client

device and an e-mail server; and accessing the e-mail application through the e-mail server (§ 0140).

Claim 20 has similar limitation as stated in depend claim 6; therefore, it is rejected by the same subject matter.

Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koss (USP Application No. 2004/0062213 A1) in view of Snapp et al (US patent application No. 2003/0069693 A1) and further in view of Hoisko (US patent 6,671,618 B2).

As per claim 24, Koss and Snapp do not explicitly teach wherein the address is provided as a street address. However, Hoiske teaches the address is provided as a street address (col. 4, lines 31-32). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to provide the address as a street address as disclosed by Hoiske because it would allow Koss's system and Snapp's system to have an accurate information in order to determine an optimal route including direction and distance path of the movement a user should follow to toward to the desired destination, as suggested by Hoiske (col. 4, lines 35-58).

Claims 25-26 have similar limitations as claim 24; therefore, they are rejected under the same subject matter.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M. LE whose telephone number is (571) 272-4111. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'DEBBIE M LE', with a long horizontal line extending to the right.

DEBBIE M LE
Examiner
Art Unit 2167

Debbie Le

June 29, 2005.